

AMENDMENTS TO THE DRAWINGS WITHOUT MARKINGS

IN THE DRAWING:

Fig. 4 has been added and labeled "NEW SHEET".

REMARKS

The last Office Action of July 6, 2005 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-12 are pending in the application. Claims 10-12 have been withdrawn from further consideration and have now been canceled. Claims 1 and 8 have been amended. Claim 6 has been canceled. Claims 13 and 14 have been added. Amendments to the specification have been made, and a new Fig. 4 has been added. No fee is due.

It is noted that the drawings are objected to because of applicant's failure to show every feature set forth in the claims. A new drawing sheet is submitted and labeled "New Sheet".

It is further noted that claims 1-9 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 1-9 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,782,593 to Klement in view of U.S. Pat. No. 6,093,130 to Buck et al.

OBJECTION TO THE DRAWING

Applicant submits herewith a new Fig. 4 to show the subject matter of claim 9. Fig. 4 shows schematically the components of the shifting unit, as set forth in claim 1, namely a pressure fluid source, which may be hydraulic or pneumatic, for supply of fluid to the pressure spaces 19, 20 to effect the shift of the drive shaft 7. The specification has been amended to make it consistent with the amendments to the drawing. No new matter has been added.

Withdrawal of the objection to the drawing is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH

The rejection under 35 U.S.C. §112, first paragraph has been addressed by the addition of Fig. 4 and the accompanying amendments to the specification. The term "interference fit", as used in claim 1 as translation of the German word "kraftschlüssig", has been replaced by --forced into engagement-- which clearly sets forth the subject matter as contemplated by the inventor. These changes are self-explanatory, so that further discussion is not necessary.

Withdrawal of the rejection of claims 1-9 under 35 U.S.C. §112, first paragraph is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The rejection under 35 U.S.C. §112, second paragraph has been addressed by the replacement of the term "interference fit" with --forced into engagement--, as set forth in applicant's arguments under the preceding heading.

Withdrawal of the rejection of the claims 1-9 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a)

In view of the Examiner's grounds for rejection, applicant has amended claim 1 by incorporating the subject matter of claim 6 and additionally reciting the partial connection of the gear mechanism to the spindle head assembly, as clearly shown in Fig. 1. Claims 13 and 14 have been added to set forth those components that are connected to the spindle head assembly and drive unit, respectively. Support therefore can be found in paragraph [0021] and [0023] of the instant specification.

As a consequence of the disposition of the gear mechanism in accordance with the present invention at the interface between the drive unit and the spindle head assembly, a modular construction is realized. The drive unit and the spindle head assembly can easily be detached from one another to provide access to the gear mechanism, and the gear mechanism can then easily be installed and

maintained because of easy access. The modular construction allows also easy change of gear transmissions by simply replacing the spindle head assembly and attaching another type of spindle head assembly.

The Klement reference describes a drive for a machining spindle, wherein the gear mechanism is fixedly secured to the housing of the drive. Klement is thus silent as to a split securement of components of the gear mechanism to the spindle head shaft, on one hand, and to the drive shaft, on the other hand, as taught by the present invention.

The Buck et al. reference discloses a multi-speed transmission having an axially shiftable switching shaft. Also Buck et al. are silent as to a split securement of components of the gear mechanism to the spindle head shaft, on one hand, and to the drive shaft, on the other hand, as taught by the present invention.

For the reasons set forth above, it is applicant's contention that neither Klement nor Buck et al., nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 1.

As for the rejection of the retained dependent claims, these claims depend on claim 1, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

CLARIFICATION AMENDMENT

Claim 8 has been amended in the manner to correct the dependency

thereof. This change is self-explanatory.

Paragraph [0020] of the instant specification has been amended to provide particulars of the co-pending patent application referred to in this passage.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the newly submitted claims. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the

Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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